AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (original) A method of operating a communications network, including automatically varying at a customer terminal, depending on network loading as detected at the customer terminal, a tariff for network usage by the customer terminal.

2. (original) A method according to claim 1, including detecting at the customer terminal a network performance parameter which depends on network loading, and varying the tariff depending on the network performance parameter.

3 (original) A method according to claim 2, in which the network is a packet network and the network performance parameter is the number of packets lost in transmission between a data source and the customer terminal.

4. (original) A method according to claim 1, including detecting a congestion signal at the customer terminal and varying the tariff in response to the congestion signal.

5. (original) A method according to claim 4, including reading a congestion signal at the customer terminal from a data packet received at the customer terminal.

6. (previously presented) A method according to claim 4, including generating a congestion signal at a router in the network in response to the detection of congestion at the router.

7. (previously presented) A method according to claim 1, including making a first relatively smaller increase in the tariff when congestion is first detected, and making at least one further, relatively larger increase, if the congestion persists.

8. (previously presented) A method according to claim 1, including programming a decision agent at the customer terminal with user-determined price criteria, and comparing a price calculated using the tariff with the said price criteria.

9. (previously presented) A method according to claim 1, including distributing a tariff algorithm via the communications network to a plurality of terminals and calculating at each terminal, using the tariff, a charge for

network usage by the terminal.

10. (previously presented) A method according to claim 9, further comprising steps, carried out by a network operator, of:

intermittently sampling traffic between the customer terminal and the network, and as part of the sampling, recording network loading affecting the customer terminal; and

for the sampled traffic, comparing a charge calculated by the customer terminal and an expected charge and detecting thereby any discrepancy.

11. (previously presented) A method according to claim 1, in which when the customer terminal detects congestion in data transmitted to the customer terminal from a data source via the network, the customer terminal returns a congestion notification signal to the data source.

12. (previously presented) A method according to claim 1, including at a customer terminal, selecting a period of time for which the tariff is to be fixed and paying a premium depending on the duration of the said period.

13. (original) A method of operating a communications network including applying to customer terminals a tariff for network usage, varying the

tariff with time; at a customer terminal, selecting a period of time for which the tariff is to be fixed; and paying a premium depending on the duration of the said period.

14. (original) A communications network including:

means for detecting network loading locally at a customer terminal; and

means responsive to the said means for detecting arranged automatically to vary a tariff for network usage by the customer terminal.

15. (original) A customer terminal for use in a communications network, the customer terminal including:

means for detecting loading of a network to which, in use, the customer terminal is connected;

means responsive to the said means for detecting and arranged automatically to vary a tariff for network usage by the customer terminal.

16. (previously presented) A customer terminal for use in a communications network, the customer terminal including one or more processors arranged to carry out the following steps in sequence:

detecting loading of resources in a network to which the customer terminal is connected; and

automatically varying in dependence on the detected loading a tariff for network usage by the customer terminal.

17. (previously presented) A method according to claim 1, in which the tariff is varied only if the terminal fails to reduce its output in response to detected congestion.

18. (New) A method as in claim 1, wherein the customer terminal is one of a mobile telephone, an intelligent phone or a personal computing device.

19. (New) A method as in claim 13, wherein the customer terminal is one of a mobile telephone, an intelligent phone or a personal computing device.

20. (New) A communications network as in claim 13, wherein the customer terminal is one of a mobile telephone, an intelligent phone or a personal computing device.

21. (New) The customer terminal in claim 15, wherein the customer terminal is one of a mobile telephone, an intelligent phone or a personal computing device.

22. (New) The customer terminal as in claim 16, wherein the customer terminal is one of a mobile telephone, an intelligent phone or a personal computing device.

23. (New) A method of operating a communications network having a global amount of network loading, the method comprising:

measuring a local observation of the network loading at a customer terminal;

automatically adjusting a tariff for usage of the communications network based on the measured local observation of the network loading at the customer terminal.

24. (New) A method as in claim 23, wherein the customer terminal is one of a mobile telephone, an intelligent phone or a personal computing device.

25. (New) A method as in claim 23, wherein measuring the local observation includes counting the number of data packets sent or received across a network interface associated with the customer terminal.